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BUSINESS BEAT

A Report to Business from the Baltimore County Police Department

April 2011

Sexual Harassment...It's Against the Law

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We invite you to become part of the expanding network of businesses and law enforcement professionals who are proactively dealing with issues that affect us all.

Knowledge is a powerful crime-fighting tool. Let's use our communications resources wisely.

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The Equal Employment Opportunity Commission (EEOC) defines sexual harassment as: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work, performance, or creates an intimidating, hostile, or offensive work environment."

If you didn't know the specifics of the law before, you know now. Sexual harassment can't be taken lightly by anyone, especially management. The repercussions from ignoring a complaint by an employee could hurt your business if a lawsuit is filed against management and the company.

When we talk about sexual harassment it can mean anything from offering a job, a position or promotion with sexual strings attached. This is commonly referred to in business as "quid pro quo." Employees deserve to work in an atmosphere that does not make it uncomfortable to do the job that they were hired to do. Worrying about sexual demands that could affect your career is against the law.

Some bosses will offer preferred work assignments, and/or better hours for sexual favors. However, the opposite is true for those workers who do not comply with the supervisor's requests. The boss could hold back on overtime, deny promotions, or discipline an employee for no legitimate reason.

Another form of sexual harassment is the hostile working environment. This is more prevalent than the quid pro quo. This problem doesn't usually involve a boss, but rather a co-worker. It could come from off-color comments, lewd jokes, hazing, obscene gestures, or graphic pictures. Anyone of these issues can make life on the job a hostile environment for an employee.



How to Reach Us...**Emergency911**

Non-Emergency Complaints:
.....410-887-2222

Burglary Unit:
.....410-887-6296

Robbery Unit:
.....410-887-2017

Crime Information Hotline:
.....410-583-2309

Community Resources Team:
.....410-887-5901

Workplace Violence Team:
.....410-931-2230

Gang Hotline:
.....410-823-0785

Precinct Outreach Units:
(all are area code 410)

Wilkens Pct. 1..... 744-1584

Woodlawn Pct. 2..... 887-4714

Franklin Pct. 3..... 887-6985

Pikesville Pct. 4..... 887-6775

Towson Pct. 6..... 887-5933

Cockeysville Pct. 7..... 887-1863

Parkville Pct. 8..... 887-5439

White Marsh Pct. 9..... 887-5035

Essex Pct. 11..... 887-0232

North Point Pct. 12..... 887-7337

Find us on the Web:

<http://www.baltimorecountymd.gov/police>

The Honorable Kevin Kamenetz
Baltimore County Executive

Technology has added to the problem faced by some workers. Computers, cell phones, and other communication tools make harassment all the easier for those who engage in this behavior. The law sees no difference between harassing e-mails, text messages and messages left on social networking sites. Whether the harassment is in person or via electronic communication, management has the duty to enforce the laws regarding sexual harassment.

Though women are frequently the target of harassment, men are not immune from the issue. It can be directed woman to woman and man to man. No one is exempt.

Just because a person may not mean to offend anyone, the law looks at it as harassment. The law looks at the perception of the victim who is affected by the comments or some other forms of sexual harassment, not the intent of the offender.



This may be the more difficult part of this law.

Offensive behavior by one individual may not be seen in the same light by another employee. However, it is the responsibility of the sender to monitor all communication, not the receiver.

If managers or supervisors are told that a certain individual(s) is harassing someone, it is up to him or her to fix the problem. Managers and owners can't allow retaliation in any form when an employee reports an incident.

There could be retaliation against not only the victim, but against anyone who may have observed the behavior of the guilty party. Another sticky point can arise when an alleged complaint is unfounded. The atmosphere that was created during the investigation can poison the work environment. Other employees may retaliate against the complainant, and create a hostile workplace, thus legitimizing the original complaint.

It is up to management to keep the lines of communication open to employees. Workers need to know that if there is a problem with harassment, their complaints will be taken seriously.